

- IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

5. Defendant's motion is **GRANTED** regarding the allegedly excessive speed of Defendant's train.
6. Defendant's motion is **DENIED** regarding Plaintiff's allegedly wanton conduct.
7. Defendant's motion is **GRANTED** regarding Plaintiff's claim for punitive damages.

It is further ORDERED that Defendant's motion to preclude the testimony of Richard Beall (ECF No. 26) is **DENIED without prejudice**. Defendant may raise this issue, if necessary, before trial.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.